

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

ADRIAN SMITH,)	
)	
Plaintiff,)	
)	No. 1:04-CV-003
v.)	
)	Magistrate Judge Susan K. Lee
OFFICER THOMAS BUTTRY and)	
OFFICER SCOTT BALES, individually and)	
as officers of the Chattanooga, Tennessee)	
Police Department,)	
)	
Defendants.)	

ORDER

In accordance with the accompanying Memorandum, the Court **GRANTS** the Defendants' Motion for Judgment on the Pleadings and/or for Partial Summary Judgment (Court File No. 14). The Court **DISMISSES** Plaintiff's claims against the Defendants in their official capacities, and **DISMISSES** the § 1985 conspiracy claims as well as the § 1983 false arrest, false imprisonment, and malicious prosecution claims and the underlying state law claims against the Defendants in their individual capacities. Plaintiff's claims of state law assault and battery and § 1983 excessive force remain pending against the Defendants. The parties shall prepare for trial as scheduled.

SO ORDERED.

ENTER:

s/ Susan K. Lee
SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE